

Application Number: 10/709,439  
Confirmation No. 3438

*jfw*  
Banpil Photonics, inc.  
2953 Bunker Hill Lane, Suite 400  
Santa Clara, CA 95054  
Phone: (408) 282-3628  
E-mail: [akdutta@banpil.com](mailto:akdutta@banpil.com)

January 5, 2005

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA. 22313-1450

**Re: 2<sup>nd</sup> Times Replacement Drawings for Patent Application # 10/709,439**

Dear Sir/Madam

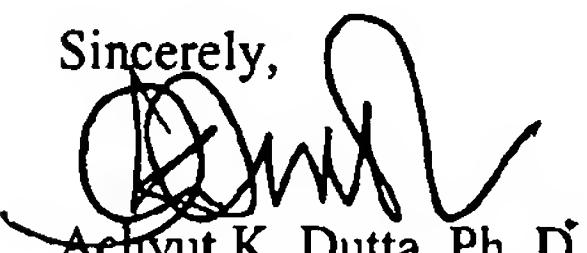
Attached please find the 2<sup>nd</sup> times replacement drawings (12 pages attached) for the patent of having *Application Number of 10/709,439* with *Confirmation Number: 3438*. Attached please find also the Fax received from USPTO and the copy of the mail evidence received before and after mails returned to the new address by USPS.

Today, I called to USPTO to get the status of the prepublication of the mentioned Patent Application, as it was not pre-published/found. According to schedule, this was supposed to be pre-published in Dec 9. 2004. Today, after more than 2 hrs communicating with USPTO, back and forth several times from publication (Ms. Betty Powell), Examination (Mr. Gregory Toatley Jr.), and Pre-examination (Mr. Wallace) divisions, I didn't get any appropriate status/answer on the above mentioned Patent Application from any division except Examination Division, where Greg took spent his time to go through the case and found that the mail was returned to USPTO which was sent to us in Oct 18, 2004. His Fax is attached herewith.

We have moved to new location, mentioned below on Oct 4, 2004, and appropriate document was submitted to United State Postal Service (USPS) to return all mails to new location. We started to receive the mails from Oct 5, 2004 until today to our new location. As far as we know no mail was returned to the sender. Attached please find some copy of the mail returned to the new location from Oct. 5, 2004 until most recent one, in December 23, including one from USPTO on Dec. 15, 2004. We didn't know until today that the above-mentioned mail has been sent to USPTO.

I would appreciate if you could process and replace the previous drawing with the submitted drawings herewith attached. Thank you for your kind help and cooperation.

Sincerely,



Achyut K. Dutta, Ph. D.

Banpil Photonics, Inc.

2953 Bunker Hill Lane, Suite 400, Santa Clara, CA 95054

Phone: (408) 431-5473      Fax: (408) 282-3501

E-mail: [akdutta@banpil.com](mailto:akdutta@banpil.com)

**Enclosures:** (1) Replacement drawings (12 drawings) and (b) FAX Notice received from USPTO, and (3) some copies of mails received to the new locations





The International Society  
for Optical Engineering

P.O. Box 10 Bellingham, WA 98227 USA

ID# SHIP

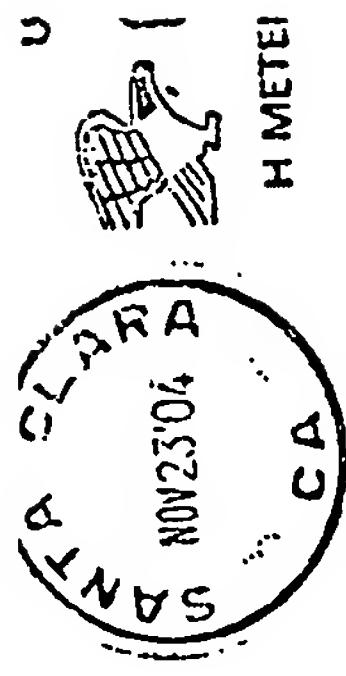


COPY OF MANUSCRIPT  
TO CHAIRMAN

BANP299 9512621511A04 43 10/05/04  
NOTIFY SENDER OF NEW ADDRESS  
BANPIL PHOTONICS INC  
2953 BUNKER HILL LN STE 400  
SANTA CLARA CA 95054-1131

5593 00533708  
Dr. Achyut K. Dutta  
Banpil Photonics Inc  
1299 Parkmoor Ave  
San Jose CA 95126-3448

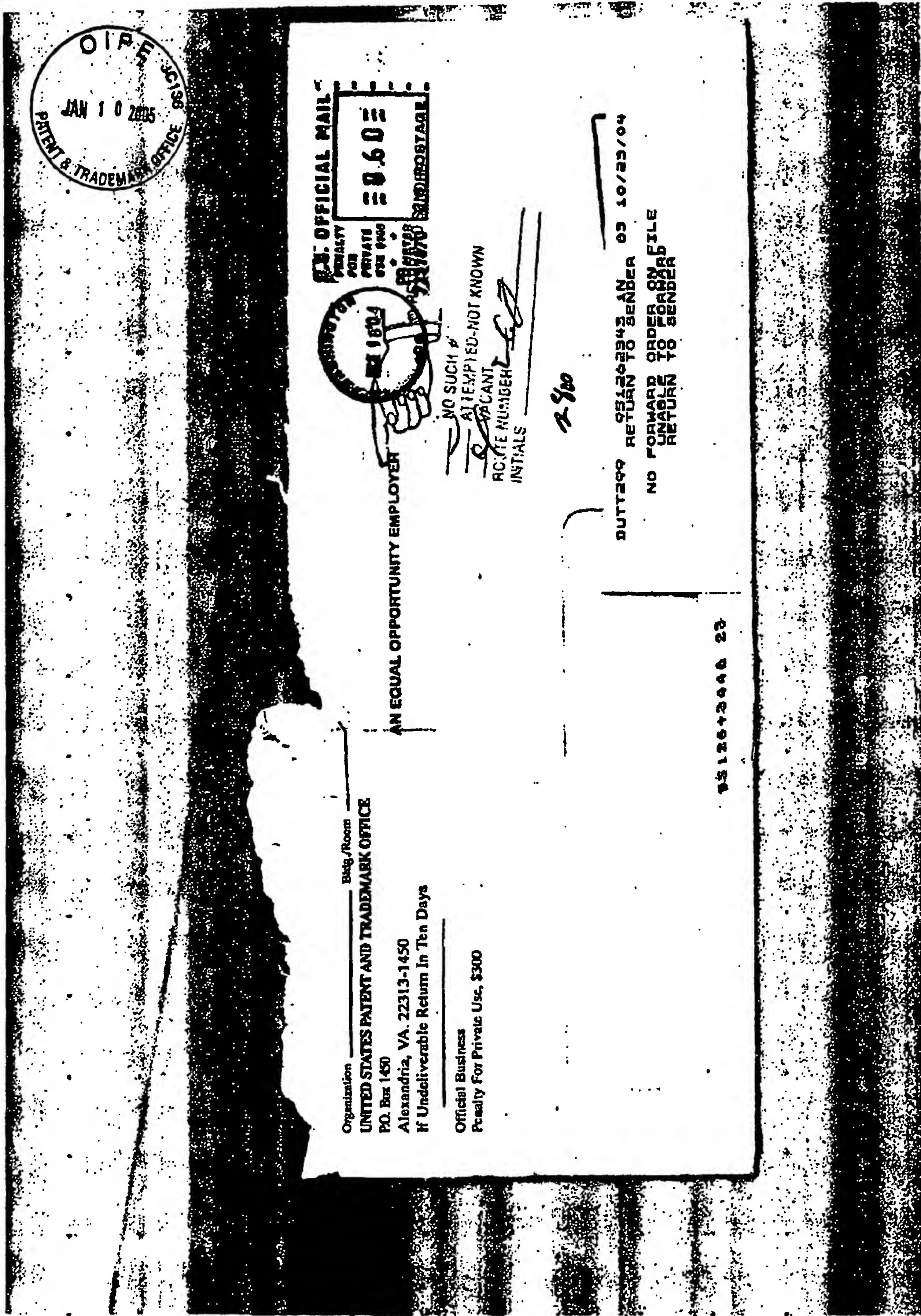
FIRS

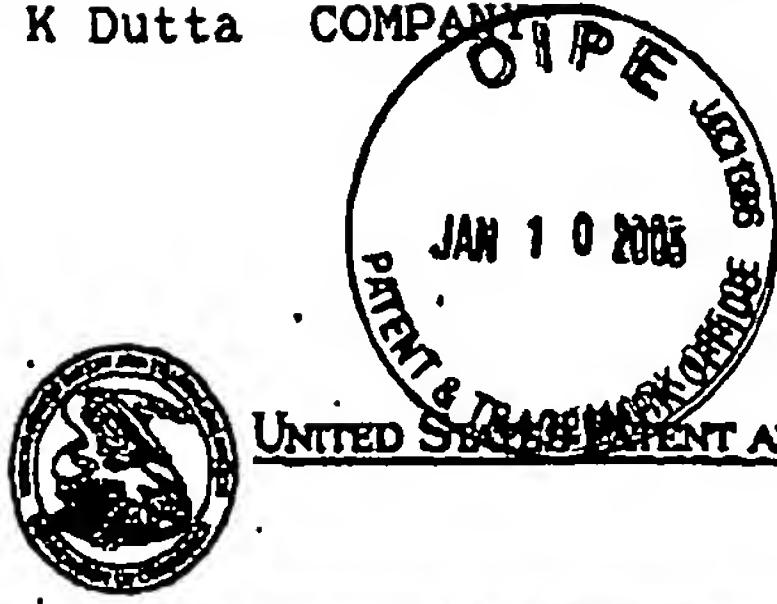


The logo for Santa Clara University is displayed vertically. It features a black silhouette of a building with a prominent gabled roof and a tower on the right side. To the right of the silhouette, the words "Santa Clara University" are written in a bold, black, sans-serif font, with "Santa Clara" on the top line and "University" on the bottom line.

Leavey School of Business  
Graduate Business Programs  
500 El Camino Real  
Santa Clara, CA 95053-0411

Mail received.  
Evidence since  
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APPLICATION NUMBER	FILING OR 371(c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/709,439	05/05/2004	Achyut Kumar Dutta	

Achyut K. Dutta  
1299 Parkmoor Avenue  
San Jose, CA 95128

CONFIRMATION NO. 3438

WITHDRAWAL NOTICE

0000000014121697

Date Mailed: 10/18/2004

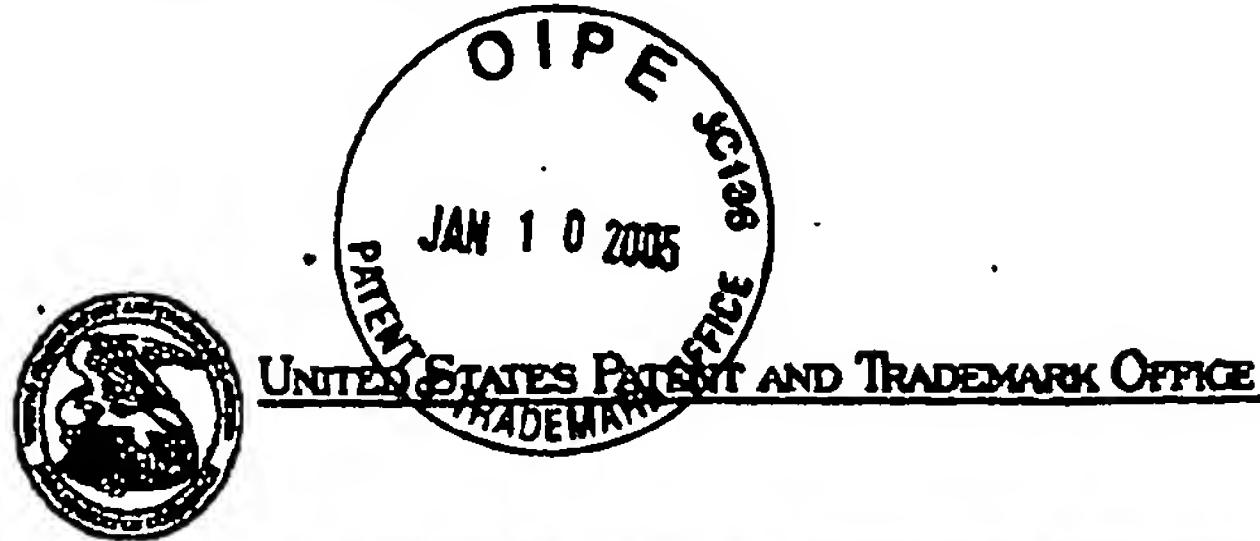
**WITHDRAWAL OF PREVIOUSLY SENT NOTICE**

The Notice mailed on 08/10/2004 was sent in error and is hereby withdrawn. A corrected Notice is enclosed. The time period for reply runs from the mail date of the corrected Notice. We apologize for any inconvenience this caused.

*A copy of this notice MUST be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

*h*  
PART 1 - ATTORNEY/APPLICANT COPY



Page 1 of 1

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APPLICATION NUMBER	FLING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/709,439	05/05/2004	Achyut Kumar Dutta	

CONFIRMATION NO. 3438

FORMALITIES LETTER

0000000014121705

Date Mailed: 10/18/2004

### NOTICE TO FILE CORRECTED APPLICATION PAPERS

#### *Filing Date Granted*

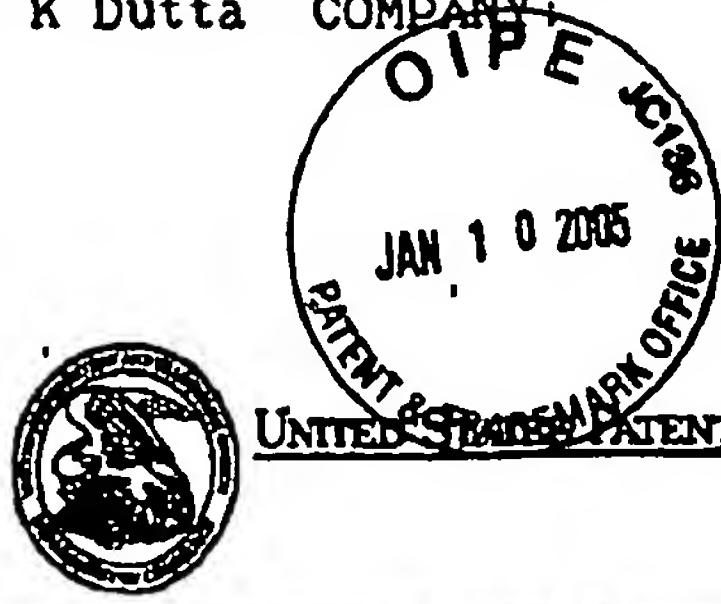
An application number and filing date have been accorded to this application. The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - More than one figure is present and each figure is not labeled "Fig." with a consecutive Arabic numeral (1, 2, etc.) or an Arabic numeral and capital letter in the English alphabet (A, B, etc.) (see 37 CFR 1.84(u)(1)). See Figure(s) 5a,5b.

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[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILED OR 371 (C) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/709,439	05/05/2004	Achyut Kumar Dutta	

CONFIRMATION NO. 3438

Achyut K. Dutta  
1289 Parkmoor Avenue  
San Jose, CA 95126

FORMALITIES LETTER

0000000014121705

Date Mailed: 10/18/2004

**NOTICE TO FILE CORRECTED APPLICATION PAPERS**

***Filing Date Granted***

An application number and filing date have been accorded to this application. The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

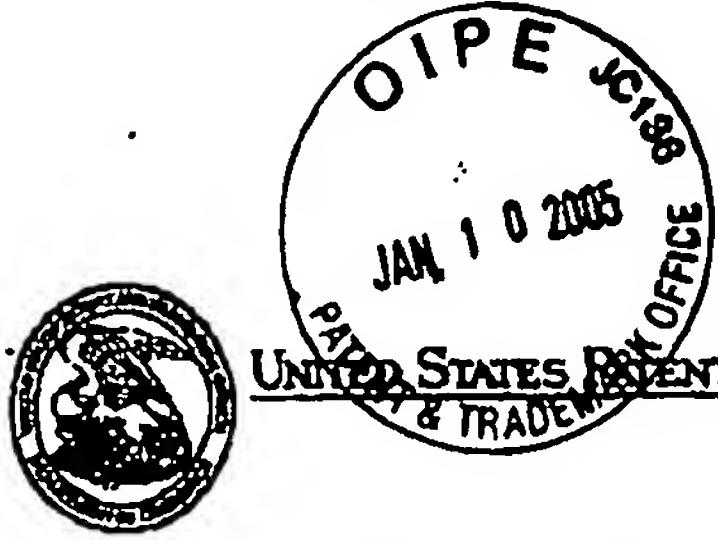
- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
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PART 2 - COPY TO BE RETURNED WITH RESPONSE



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APPL NO.	FILING OR 371 (EQ) DATE	ART UNIT	FIL FEE RECD	ATTY/DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10709,439	05/05/2004	2877	385		12	20	1

CONFIRMATION NO. 3438

Achyut K. Dutta  
1299 Parkmoor Avenue  
San Jose, CA 95126

FILING RECEIPT

0000000014121704

Date Mailed: 10/18/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Achyut Kumar Dutta, Sunnyvale, CA;

Assignment For Published Patent Application

BANPIL PHOTONICS, INC., San Jose, CA

Power of Attorney: None

Domestic Priority data as claimed by applicant

This appn claims benefit of 60/487,905 05/05/2003

Foreign Applications

If Required, Foreign Filing License Granted: 06/30/2004

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US10/709,439

Projected Publication Date: To Be Determined - pending completion of Corrected Papers

Non-Publication Request: No

Early Publication Request: No

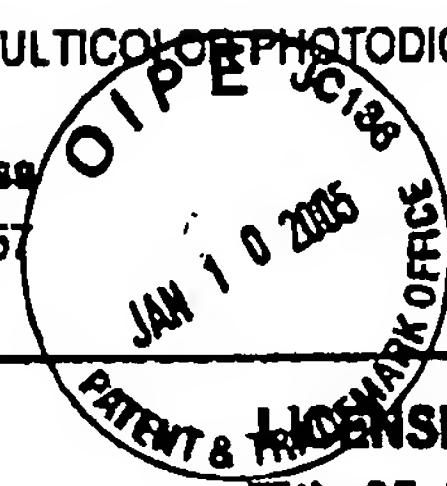
“SMALL ENTITY”

Title

MULTICOLOR PHOTODIODE ARRAY AND METHOD OF MANUFACTURING THEREOF

Preliminary Class

257



LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15

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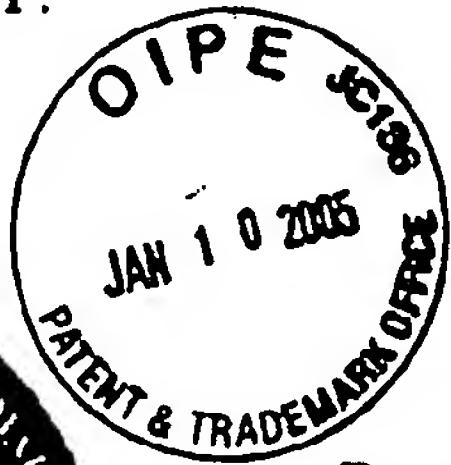
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**Patent Technology Center 2800**

**Facsimile Transmission**

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**From:** Name: Gregory J Toatley Jr

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Official After Final Fax Number: (703) 872-9319

Voice Phone: 7033087889

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**Fax Notes:**

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Copy of the returned letter from the PTO

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Date and time of transmission: Wednesday, January 05, 2005 4:40:08 PM  
Number of pages including this cover sheet: 07

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